IN THE HIGH COURT OF JUDICATURE,
ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.17978 of 2003

Dated: January 29, 2007

Between:

K. Rajesh, S/o. Leelavathamma, aged 20 years, Occ: student, Flat No.304, Ayodya Apartments, Kirlampudi, Visakhapatnam, Visakhapatnam District.

... Petitioner

And

The Govt. of Andhra Pradesh, Education Department, rep. by its Secretary, Secretariat, Hyderabad, and others.

... Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the second respondent in denying admission to the petitioner in Engineering course on the ground that the Senior Secondary School Certificate Examination conducted by National Institute of Open Schooling is not equivalent to the certificate issued by the Board of Intermediate Education, Andhra Pradesh, as arbitrary and illegal.

2. Petitioner claims to have passed the Senior Secondary School Certificate Examination conducted by the National Institute of Open Schooling in April, 2003. Pursuant to the notification issued by the second respondent, petitioner has appeared for EAMCET-2003 and secured Rank No.082413. When he participated in the counselling, he was denied admission on the ground that he did not complete the subject 'Word Processing' and according to the petitioner it has no relevance at all for entry into Engineering course. At that stage, he has approached this court.

3. This court, while admitting the Writ Petition, by order dated
02-09-2003, passed in WPMP Nos.22391 and 22393 of 2003, directed the respondents to grant admission to the petitioner in Engineering course, referring to the proceedings of the Board of Intermediate Education dated 06-04-2002, whereby the Senior Secondary School examinations were equated to that of two years Intermediate course of A.P. Board of Intermediate Education.

4. When the Writ Petition was listed on 19-12-2006, there was no representation on behalf of the respondents and no counter affidavit was filed. Hence, the matter was directed to be listed today. Even today, when the matter has been taken up, there is no representation on behalf of the respondents.

5. As per the provisions of the A.P. Intermediate Education Act, 1971 and the regulations made thereunder,

it is the Board of Intermediate Education, which is the competent authority to issue any certificate, treating a particular course or a certificate as equivalent to the one issued by it. Petitioner has produced a copy of the letter dated 06-04-2002 issued by the Commissioner and Secretary of the Board of Intermediate Education, A.P., Hyderabad, in which it is clearly stated that Senior Secondary School Examination (12th standard or +2 stage) of National Institute of Open Schooling, is equal to that of two year Intermediate course in Andhra Pradesh.

6. As much as it is stated that petitioner was already admitted to Engineering course in the year 2003 and is in the IV year, and also in view of the fact that the Board of Intermediate Education itself has issued letter dated 06-04-2002, stating that the Senior Secondary School Examination, i.e. 12th standard, undergone by the petitioner is equivalent to that of Intermediate course in Andhra Pradesh, I direct the respondents to treat the admission of the petitioner as a valid one for all purposes and allow him to complete the course and issue necessary certificates to him. No costs.

JUSTICE R. SUBHASH REDDY.

January 29, 2007
MRR